IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12921 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

FALGUNIBEN GORDHANBHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR CB DASTOOR for Petitioner

MR RR DAVE for MR AS DAVE for Respondents

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 20/12/2000

ORAL JUDGEMENT

I have heard Mr.C.B.Dastoor, learned Counsel appearing on behalf of the petitioner. Rule. Mr.R.R.Dave for Mr.A.S.Dave appearing on behalf of the respondents waives service of rule.

The petitioner has filed this application for correction of date of birth in the passport. The petitioner was issued a passport No.A-9175270 on 27-9-2000. The date of birth of the petitioner recorded in the passport is based on the date of birth recorded in the School Leaving Certificate, which is 1-6-1981. The learned Counsel appearing on behalf of the petitioner submitted that the Consulate General of the United States wanted the petitioner to correct her date of birth as per the Birth Certificate issued by the local authority, Kathwada Groups Gram Panchayat, but the Birth Certificate issued by the Registrar, Births and Deaths, shows the date of birth of the petitioner as 26-11-1982. Mr.C.B.Dastoor, learned Counsel, further submitted that the petitioner approached the respondent Regional Passport Officer, Ahmedabad for correction of the date of birth of the petitioner as recorded in the birth certificate issued by the Registrar, Births and Deaths, but the respondent Authority has declined to carry out the correction.

Mr.R.R.Dave for Mr.A.S.Dave appearing on behalf of the respondents submitted that if the petitioner submits genuine documents showing the correct date of birth of the petitioner, then the Regional Passport Officer may consider the same and if necessary he will carry out the corrections. Accordingly, the petitioner may submit all relevant documents, including the Birth Certificate issued by the Registrar, Births and Deaths, Kathwada Groups Gram Panchayat before the respondent Regional Passport Officer and on furnishing such documents, the respondent Regional Passport Officer is directed to consider the same and if he is satisfied, he may make necessary corrections in the passport issued to the petitioner.

It appears that the incorrect date of birth was recorded because of the wrong information supplied by the petitioner and, therefore, if the correction is made by the respondent Authority in the passport of the petitioner, then the petitioner shall pay a sum of Rs.1,500/- (Rupees one thousand five hundred only) to the respondent Regional Passport Officer.

With the aforesaid observations and directions, the petition is disposed of. Rule is made absolute to the above extent. Direct service is permitted.

20-12-2000 (P.K.Sarkar, J.)

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